IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated : Nainital the June 22nd, 2006
Criminal Misc. Second Bail Application No.530 of 2006
Order on the bail application of accused

CRIMINAL SIDE

Rajveer Singh Rana
S/o Chanan Singh Rana
R/o 30 Engineers Enclave
P.S. Vasant Vihar
Dehradun District Dehradun ……... Applicant

Versus

State of Uttaranchal ……..Opposite Party

Arising out of Case Crime No. 3 of 2006
Registered on the basis of FIR dated 5.1.2006
Under Sections 392, 411 I.P.C.
P. S. Vasant Vihar
District – Dehradun

Hon'ble J.C.S. Rawat, J.

Heard Sri R.P. Nautiyal, learned counsel for the applicant and learned A.G.A. for the State.

Perused the record. This is the second bail application. The first bail application has been rejected for want of prosecution. Several dates were taken by Sri Vinod Sharma, who filed the first bail application. The second bail application has been filed on the same ground which has been alleged in the first bail application. The matter relates to a bank dacoity held in the Oriental Bank, Dehradun on 5.1.2006 at about 10.25am. It is alleged that the present applicant was arrested on 15.01.2006 alongwith the motorcycle by which the applicant came at the spot and after committing dacoity the applicant fled away. A recovery of Rs. 23,000/- has been made from the possession of the applicant and the said amount is said to have been the robbed money. It was contended that there is no prima facie evidence against the present applicant. It was contended that out of four persons, only two persons had identified the applicant and however they have some doubts. Learned AGA refuted the contention. It was pointed out by the learned AGA that the brother of the applicant-accused had threatened the witnesses on 19.1.2006 a day before the identification parade and an FIR was lodged a day before.

It is also to be seen while granting the bail that if the applicant or anybody on his behalf give threats to the witnesses and if the appellant is released on bail, it would jeopardize the investigation. Therefore, the bail cannot be granted to him. Considering the contentions, facts and circumstances of the case, it is not a fit case for bail. Therefore, the second bail application is hereby rejected. Rejected.

(J.C.S. Rawat, J.)

Dated 22.06.2006

LSR